

Patent  
271/231

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gene Samson, et al.

Serial No.: (not yet assigned)

Filed: February 22, 2002

For: MECHANICAL CLOT TREATMENT  
DEVICE WITH DISTAL FILTER

Group Art Unit: (not yet assigned)

Examiner: (not yet assigned)

#3  
D3  
45

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A (08-00) and copies are enclosed in the parent application serial No. 09/452,528 filed on December 1, 1999, for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

## INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

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- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- ☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
- ☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.
- ☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- ☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

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## PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☐ Please charge \_\_\_\_\_ to Deposit Account No. 12-2475 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Dated: 2-19-02Respectfully submitted,  
LYON & LYON LLPBy: DT Burse  
David T. Burse  
Reg. No. 37,104

22249

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STATEMENT BY APPLICANT**

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Sheet 1

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Attorney Docket Number

**Complete if Known**

|                        |                    |
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| Application Number     | (not yet assigned) |
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| First Named Inventor   | Gene Samson, et al |
| Group Art Unit         | (not yet assigned) |
| Examiner Name          | (not yet assigned) |
| Attorney Docket Number | 271/231            |

 J1086  
 10/082492  
 02/22/02
**U.S. PATENT DOCUMENTS**

| Examiner Initials * | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
|                     |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                     | 1                     | 5,855,565            |                                   | Bar-Cohen, et al.                               | 01-1999  |   |
|                     | 2                     | 5,972,019            |                                   | Engelson, et al.                                | 10-26-1999                                       |   |
|                     | 3                     | 5,133,733            |                                   | Rasmussen, et al.                               | 07-1992  |   |
|                     | 4                     | 3,174,851            |                                   | Buehler, et al.                                 | 03-23-1995                                       |   |
|                     | 5                     | 3,351,463            |                                   | Rozner, et al.                                  | 11-07-1967                                       |   |
|                     | 6                     | 3,367,101            |                                   | Garner, et al.                                  | 02-06-1968                                       |   |
|                     | 7                     | 3,435,826            |                                   | Fogarty   | 04-01-1969                                       |   |
|                     | 8                     | 3,753,700            |                                   | Harrison, et al.                                | 08-21-1973                                       |   |
|                     | 9                     | 3,996,938            |                                   | Clark III                                       | 12-14-1978                                       |   |
|                     | 10                    | 4,030,503            |                                   | Clark III                                       | 08-21-1977                                       |   |
|                     | 11                    | 4,403,612            |                                   | Fogarty   | 09-13-1983                                       |   |
|                     | 12                    | 4,425,908            |                                   | Simon   | 01-17-1984                                       |   |
|                     | 13                    | 4,643,184            |                                   | Mobin-Uddin                                     | 02-17-1987                                       |   |
|                     | 14                    | 4,892,139            |                                   | Stiles  | 09-08-1987                                       |   |
|                     | 15                    | 4,708,671            |                                   | Weinrib   | 11-17-1987                                       |   |
|                     | 16                    | 4,762,130            |                                   | Fogarty, et al.                                 | 08-09-1988                                       |   |
|                     | 17                    | 4,790,812            |                                   | Hawkins, Jr. et al.                             | 12-13-1988                                       |   |
|                     | 18                    | 4,842,579            |                                   | Shiber  | 08-27-1989                                       |   |
|                     | 19                    | 4,873,978            |                                   | Ginsburg  | 10-17-1989                                       |   |
|                     | 20                    | 4,885,003            |                                   | Hillstead                                       | 12-05-1989                                       |   |

**FOREIGN PATENT DOCUMENTS**

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|---------------------|-----------------------|-------------------------|---------------------|-----------------------------------|---|--|---|----------------|
|                     |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |   |  |   |                |
|                     | A                     | GB                      | 2 020 557           |                                   |   | 11-21-1979                                       |   |                |
|                     | B                     | EP                      | 0 117 940           |                                   |   | 09-12-1996                                       |   |                |
|                     | C                     | CA                      | 2,000,621           |                                   |   | 04-19-1990                                       |   |                |
|                     | D                     | EP                      | 0 418 677           |                                   |   | 03-27-1991                                       |   |                |
|                     | E                     | EP                      | 0 419 154           | A1                                |   | 03-27-1991                                       |   |                |

Examiner  
Signature

/Michael Araj/

Date  
Considered

06/28/2010

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2

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|                        |                    |
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|--------------------------------|-----------------------|----------------------|--------------------------------------|---|---|---|
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|                                | 21                    | 4,890,611            |                                      | Monfort, et al.                                 | 01-02-1990  |   |
|                                | 22                    | 4,904,431            |                                      | O'Melaki  | 02-27-1990  |   |
|                                | 23                    | 4,921,484            |                                      | Hillstead                                       | 05-01-1990  |   |
|                                | 24                    | 4,926,858            |                                      | Gifford, III, et al.                            | 05-22-1990  |   |
|                                | 25                    | 4,997,435            |                                      | Demeter   | 03-05-1991  |   |
|                                | 26                    | 5,011,496            |                                      | Ginsburg  | 04-30-1991  |   |
|                                | 27                    | 5,053,006            |                                      | Bajaj   | 10-01-1991  |   |
|                                | 28                    | 5,112,347            |                                      | Taheri  | 05-12-1992  |   |
|                                | 29                    | 5,122,136            |                                      | Guglielmi, et al.                               | 06-16-1992  |   |
|                                | 30                    | 5,133,733            |                                      | Rasmussen, et al.                               | 07-26-1992  |   |
|                                | 31                    | 5,192,266            |                                      | Phan, et al.                                    | 03-09-1993  |   |
|                                | 32                    | 5,306,354            |                                      | Zacca, et al.                                   | 05-03-1994  |   |
|                                | 33                    | 5,330,484            |                                      | Gunther, et al.                                 | 07-19-1994  |   |
|                                | 34                    | 5,354,295            |                                      | Guglielmi, et al.                               | 10-11-1994  |   |
|                                | 35                    | 5,395,311            |                                      | Andrews   | 03-07-1995  |   |
|                                | 36                    | 5,411,509            |                                      | Hilal   | 05-02-1995  |   |
|                                | 37                    | 5,423,629            |                                      | Pham, et al.                                    | 06-13-1995  |   |
|                                | 38                    | 5,449,372            |                                      | Schmaltz, et al.                                | 09-12-1995  |   |
|                                | 39                    | 5,454,795            |                                      | Samson  | 10-03-1995  |   |
|                                | 40                    | 5,456,667            |                                      | Ham, et al.                                     | 10-10-1995  |   |
|                                | 41                    | 5,490,659            |                                      | Mische, et al.                                  | 02-13-1996  |   |
|                                | 42                    | 5,527,326            |                                      | Hermann, et al.                                 | 06-16-1996  |   |
|                                | 43                    | 5,626,761            |                                      | Rizik   | 05-13-1997  |   |
|                                | 44                    | 5,643,297            |                                      | Nordgren, et al.                                | 07-01-1997  |   |

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|                                | F                     | EP                      | 0 472 368           |                                      |   | 02-26-1992  |   |                |
|                                | G                     | EP                      | 0 531 822           |                                      |   | 03-17-1993  |   |                |
|                                | H                     | EP                      | 0 533 511           | A1                                   |   | 03-24-1993  |   |                |
|                                | I                     | WO                      | 94/24946            |                                      |   | 11-10-1994  |   |                |
|                                | J                     | WO                      | 95/35066            |                                      |   | 12-28-1995  |   |                |

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Signature

/Michael Arai/

Date  
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Sheet

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of

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1

Attorney Docket Number

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Application Number

(not yet assigned)

Filing Date

Submitted Herewith

First Named Inventor

Gene Samson, et al.

Group Art Unit

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Examiner Name

(not yet assigned)

Attorney Docket Number

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## U.S. PATENT DOCUMENTS

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| K                  | WO                    | 96/01591                |   |   | 01-25-1996                                       |   |                |
| L                  | EP                    | 0 737 450               |   |   | 10-16-1996                                       |   |                |
| M                  | WO                    | 97/42878                |   |   | 11-20-1997                                       |   |                |
| N                  | WO                    | 98/02084                |   |   | 01-22-1998                                       |   |                |

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| Examiner<br>Signature | /Michael Araj/ | Date<br>Considered | 06/28/2010 |
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